

P-999/CI-88-917 DEFERRING CONSIDERATION

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Darrel L. Peterson	Chair
Cynthia A. Kitlinski	Commissioner
Norma McKanna	Commissioner
Robert J. O'Keefe	Commissioner
Patrice Vick	Commissioner

In the Matter of the Applications for  
Authority to Provide Alternative Operator  
Services in Minnesota

ISSUE DATE: June 28, 1990

DOCKET NO. P-999/CI-88-917

ORDER DEFERRING CONSIDERATION  
OF COST ASSESSMENT

PROCEDURAL HISTORY

On February 14, 1990, AT&T Communications of the Midwest, Inc. (AT&T or the Company) was billed by the Commission for 85% of the costs assessed by the Office of Administrative Hearings for hearings in the above docket. On March 7, 1990, AT&T filed an objection to the assessment.

The matter came before the Commission on May 22, 1990.

FINDINGS AND CONCLUSIONS

At this time, the overall Alternative Operator Service (AOS) proceeding is in the preliminary stages of a second contested case proceeding. Deadlines for filings and intervention have been set by the presiding Administrative Law Judge. If the case follows the scheduled guidelines, the evidentiary hearing will begin October 15, 1990.

The Commission is aware that the issue of cost assessment is extremely important to the parties involved. The Commission may well gain further insights into this difficult issue through the filings and testimony in the ongoing proceeding. With this in mind, the Commission will currently defer consideration of the issue of cost assessment.

In verbal communication with Commission staff and in testimony before the Commission, counsel for the Company indicated that the Company did not wish or expect a contested case proceeding regarding its objection to the assessed costs. The Commission finds that the Company has waived

the provisions of Minn. Stat. §237.295 subd. 3 (1990), under which the Commission is required to provide for a contested case hearing within 60 days of the filing of an objection to assessed costs.

ORDER

1. The Commission hereby defers consideration of AT&T's objection to assessed costs in the Alternative Operator Services proceeding.
2. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Richard R. Lancaster  
Executive Secretary

(S E A L)